

NOV 14 2018

## AMENDED

**FORM TO BE USED BY PRISONERS IN FILING A COMPLAINT  
UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. § 1983**

JAMES W. McCORMACK, CLERK

DEP CLERK

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF ARKANSAS  
DIVISION**CASE NO. 1:18-CV-80-DPMJury Trial: ☒ Yes ☐ No  
(Check One)

## I. Parties

In item A below, place your full name in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.A. Name of plaintiff: Charles J. Youngberg  
ADC # \_\_\_\_\_Address: 1009 Sheriff Dr. Mountain View, AR 72560Name of plaintiff: \_\_\_\_\_  
ADC # \_\_\_\_\_

Address: \_\_\_\_\_

Name of plaintiff: \_\_\_\_\_  
ADC # \_\_\_\_\_

Address: \_\_\_\_\_

In item B below, place the full name of the defendant in the first blank, his official position in the second blank, his place of employment in the third blank, and his address in the fourth blank.B. Name of defendant: Joshua ColmanPosition: Stone County Deputy Prosecuting AttorneyPlace of employment: 104 West Main St. Mountain View, AR 72560  
Court houseAddress: 104 West Main St. Mountain View, AR 72560Name of defendant: B.J. DayPosition: Chief of police

1 of 1

## Additional Defendants

Name of Defendant: Jim Doss

Position: Stone County Deputy

Place of Employment: Stone County Sheriff Office

Address: 1009 Sheriff Dr. Mountain View, AR 72560

Name of Defendant: Zack Alexander

Position: CE Stone County Sheriff Office

Place of Employment: Stone County Sheriff Office

Address: 1009 Sheriff Dr. Mountain View, AR 72560

Both above named officers both perfect in harming both my minor children and myself mentally and we are also involved in damaging my character, loss of job, loss of home and other material possession along with the loss of my daughters and family.

I also seek that the above named officers also be relieved of their badges and duties and also held accountable on a criminal level to pay for loss of wages and sufferings.

Place of employment: Mountain View City Police Department  
Address: 203 South Peabody Ave. Mountain View, AR 72560  
Name of defendant: Jonathan Arnold  
Position: Mountain View City Police Officer  
Place of employment: Mountain View City Police Department  
Address: 203 South Peabody Ave. Mountain View, AR 72560  
Name of defendant: Autumn R. Canard Youngberg  
Position: In home health Aid  
Place of employment: Kindred at Home  
Address: 180 Buckhorn Dr. Mountain View, AR 72560

II. Are you suing the defendants in:

- ☐ official capacity only  
☐ personal capacity only  
☒ both official and personal capacity

III. Previous lawsuits

A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action?

Yes \_\_\_ No X

B. If your answer to A is yes, describe the lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

☐ Parties to the previous lawsuit:

Plaintiffs: \_\_\_\_\_

\_\_\_\_\_

Defendants: \_\_\_\_\_

\_\_\_\_\_

☐ Court (if federal court, name the district; if state court, name the county): \_\_\_\_\_

☐ Docket Number: \_\_\_\_\_

☐ Name of judge to whom case was assigned: \_\_\_\_\_

☐ Disposition: (for example: Was the case dismissed? Was it appealed? Is it still pending?) \_\_\_\_\_

☐ Approximate date of filing lawsuit: \_\_\_\_\_

☐ Approximate date of disposition: \_\_\_\_\_

IV. Place of present confinement: Stone County Detention Center  
1009 Sheriff Dr. Mountain View, AR 72560

V. At the time of the alleged incident(s), were you:  
(check appropriate blank)

☒ in jail and still awaiting trial on pending criminal charges

☐ serving a sentence as a result of a judgment of conviction

☐ in jail for other reasons (e.g., alleged probation violation, etc.)  
explain: \_\_\_\_\_

VI. The Prison Litigation Reform Act (PLRA), 42 U.S.C. § 1997e, requires complete exhaustion of administrative remedies of all claims asserted, prior to the filing of a lawsuit. There is a prisoner grievance procedure in the Arkansas Department of Correction, and in several county jails. Failure to complete the exhaustion process provided as to each of the claims asserted in this complaint may result in the dismissal without prejudice of all the claims raised in this complaint.

A. Did you file a grievance or grievances presenting the facts set forth in this complaint?

Yes ☒ No ☐

B. Did you completely exhaust the grievance(s) by appealing to all levels within the grievance procedure? Yes

Yes X No     

If not, why? \_\_\_\_\_

## VII. Statement of claim

State here (as briefly as possible) the facts of your case. Describe how each defendant is involved. Include also the names of other persons involved, dates, and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

On the approximate date of 8-25-18 BJ Day, Jonathan Arnold and Autumn R. Conrad Youngberg all in fact co-conspired in falsifying legal documents to have me wrongfully imprisoned to cover Autumn R. Conrad Youngberg's illegal activities so that she may attempt to gain custody of our minor twin daughters, or to act in retaliation against me for past legal issues I had filed against local law enforcement. On the morning of the 25<sup>th</sup>, while Officer Arnold personally wrote Autumn Youngberg's statement for her as a favor to her. The Chief of Police being good associates with Mrs Youngberg's family drove over 12 miles outside of his jurisdiction and crossed on to private property to threaten my well being as a way to take my minor daughters back to their mother even after she had admitted to being under the influence of a scheduled #1 narcotic meth on the illegal actions she committed against. The threatening by BJ Day not only damage my mental state he

also damaged an mentally abused my minor children as well. After putting us in such mental distress he then also placed my two minor children into his police vehicle without proper car seats in fact endangering the well being of my minor children even further. After Chief BJ Day, Officer Arnold, and Autumn Youngberg Co-Conspired in falsifying the police report, Mrs. Youngberg told me they had harassed and threatened her and that both officers would see to it she lost our daughters and our girls split up into foster homes. Though in distress and fear of her well being Mrs. Youngberg still signed the false documents, which in fact damaged my mental state as well. Mrs. Youngberg had in fact told me she did not write her own statement as she was not to worry about anything that the Deputy Prosecuting Attorney was also in agreement with the plan of the two officers and believed that D.P. Joshua Collins himself even altered her statement even further knowingly doing so in order to get our local judge to agree to issuing a warrant on charges against me also in retaliation for the past disagreements and legal filings that I had filed. The actions of all parties involved in fact hurt and damaged my mental state and livelihood. In fact surrendering my character, loss of job, loss of home and other material possessions, and most of all loss of my daughters and family. At this time I am still currently incarcerated in the State's jail awaiting trial on the accusatory charges of #1 Ag. Assault on a family or household member, #2 Child endangerment, #3 Unclassified aggressive along with being wrongfully placed against, against the peace and dignity of the Great State of Arkansas.

On the approximate date of 8-24-18 I Charles Youngberg was at my residence on Wall's street within the city limits of Mountain View where I had moved to and was living alone after coming home finding my wife

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Autumn R. Conrad Youngberg committing adultery with her  
 sisters husband Andy Carey. During the above mentioned  
 time of being at my residence my wife Autumn Youngberg  
 in fact showed up at my residence and asked permission  
 to leave my two minor twin daughters in my custody for  
 a time period no longer than to run a few errands. To which  
 at that time I agreed to watch my minor daughters on  
 out of all other appointments of the evening. Upon the  
 time reaching 8:00 PM I put on some party shorts and  
 layed my daughters down to bed for the night knowing  
 that their mother would not answer or return my calls  
 to see when she would be returning, and why she had  
 not returned by the agreed time. After laying my daughters  
 down for the night I myself hid back in my recliner by  
 the front door to rest while I awaited her arrival and  
 call to pick up our daughters. Between the hour of  
 2:30 AM and 3:30 AM my wife accompanied by her cousin a  
 wanted woman "Shay Haynes" who was in fact wanted by  
 the Stone County Sheriff's Office had showed up at my house  
 wanting to pick up our daughters who were safely in bed  
 asleep. At the time of their arrival my wife and her cousin  
 were acting strange as I stepped out on my front porch  
 and observed them and asked as to why they were. They both  
 had admitted to me that they were under the influence of  
 a schedule one narcotic Meth that they had received from  
 a friend who does C.T. work for the Stone County Sheriff's  
 Office that it would be ok if I wanted to partake in it  
 with them. At that time I told my wife she and her cousin  
 needed to leave that she would not be taking our girls  
 anywhere. At that point my wife became very loud and  
 aggressive hitting and throwing things on my front porch

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as turned to gain entry back into my residence my wife  
 began to hit and club the back of my head on rock both  
 inflicting knots on breaking my skin to a point of bleeding,  
 saying that she will do anything to see to it I don't get  
 our daughters. Once I made it into my residence and got  
 to safely lock my door for the safety of my daughters and  
 myself my wife began to hit, kick, and knee the front door of  
 my residence. After the window of my front door being broke  
 out and my wife realizing she had cut her hand, I began  
 searching for my cell phone to contact the police and  
 could not find it. By this time my wife had noticed the  
 cut she had inflicted upon her own hand, wiped it in the  
 shirt she was wearing and head towards the vehicle. She  
 was driving saying I got your ass now. Once I noticed  
 my wife and her associate had left the property I gathered  
 my daughters and our belongings, put them in the vehicle  
 and drove straight to an associates house to ensure the  
 safety of my minor daughters until I could get hold  
 of DHS on the local law enforcement to report the  
 situation on sex charges. While at the residence of the  
 associate who had previously gave no permission to be there  
 anymore I needed some place safe to go. Here Deputy  
 Jim Doss of the Stone County Sheriff's Office arrived beating  
 and banging on the walls and windows of the residence I  
 inhabit scaring my minor daughters into further shock as  
 he spoke on his cell phone with Chief B.J. Day and/or  
 his superior officer informing that I was at the house.  
 Throughout his banging around and demanding I  
 opened the front door of the residence in full cooperation  
 and so he could see that my minor daughters were ok.  
 At that point Deputy Doss had ordered me to step outside

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posted private property as for himself unlatched an  
 opened the gate to the property that my daughters were  
 behind. At that time my daughters began to cling to  
 me in a way and fear as of need of protection from  
 Deputy Doss as to his attitude and actions. At that  
 time he made Deputy Doss aware that he was in fact  
 trespassing onto private property and mentally abusing  
 my daughters by his words and actions. At that time  
 I also began showing Deputy Doss where and how  
 I was bleeding on my body. I labored throughout the  
 altercation with my wife having glass broken out in  
 my face. I then sat flat on my bottom and began to  
 hold my minor daughters to comfort and console them  
 as I asked that DHS be called on brought into the  
 situation for the safety of my daughters. At which  
 point Deputy Doss sighed out of frustration took out  
 his cell phone and made a call to Chief of Police B.J.  
 Day to let him know of my current response or request  
 to the situation. After observing Deputy Doss aggressive  
 response to what Chief B.J. Day told him to do he came  
 over to tell me that Chief B.J. Day told him to tell me  
 that no one would be contacting DHS for my daughters  
 or me and that he would be there shortly to take my  
 daughters on have me arrested on a 72 hour hold to  
 prep and prepare charges against me. While my daughters  
 lay there in my arms in comfort and security I began  
 to share with Deputy Doss and Deputy Meeks what  
 all had taken place on how my daughters began on making  
 me. Deputy Meeks responded that I should have left  
 her when I had the chance, and Deputy Doss said  
 that if I didn't have at least one witness the City was

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going to be able to make the charges stick, I would go to prison and lose my daughters if it was just my word against my wife's. Around about that moment a black SUV driven by B.J. Day Chief of Police arrived at the residence approached over my daughters and I in a threatening manner aggressively stating that in one way or the next he was taking my daughters on returning them back to their mother where they belong. At that time I asked Deputy Meeks and Doss if they had their service issued body arms turned on they stated that on this particular night upon arriving to take me into custody their body arms were not charged or able to be used. However after asking if they all showed up to inflict assault or kill me to take my daughters Deputy Meeks looked at the front of his service vehicle as to ensure me that the vehicle camera was working properly when Chief B.J. Day Squatted down in my face aggressively stating to me I could take it however I wanted to I had just not move cause he didn't want to inflict any unnecessary accidents upon me or my daughters or have any crazy hot chases. At that point he Squatted down over my daughters and myself and pried my first girl out of my arms inflicting stating her into further shock. Walked her to the black SUV owned by the city police department and handed my daughter off to another officer to hold without paper for seating for more than 12 miles back within city limits. After passing off my 1st daughter Chief B.J. Day returned in the same threatening manner prying my 2nd daughter from my arms to also place her within the black SUV driven by Chief B.J. Day to transport her as well for

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more than 12 miles back within city limits without the proper car seating needed to ensure my minor daughters safety being as an officer of the law he infect took an oath to protect and serve. After taking my daughters from within private property Chief B.T. Day again stated sarcastically let's get these babies back to their mother, were the babies even after she had already admitted to Chief B.T. Day that she was infect under the influence of a schedule one narcotic meth, and the cuts and wounds she had inflicted upon me. I also around that same time asked Chief B.T. Day for medical attention do to the blood coming from my forehead and eyes in which he turned and laughed at me. At that time I was asked to go with the Stone County Sheriff's Deputies to be taken into custody. Do to how things went at the time I only felt safe with Deputy Meeks as fully escorted with him throughout my transition into custody. He then placed me into hand cuffs and into his service vehicle then properly went through the right channels to begin my transport. During the said transport upon asking Deputy Meeks for help in getting medical attention that Chief B.T. Day denied me. Deputy Meeks then noticed in that I was in request of said medical treatment an was given the approval to transport me to the White River Medical Center. Upon arriving at the hospital we met up with 2 more Sgt. Stephens of the Stone County Sheriff's Office who assisted in watching over me throughout my medical treatment at the White River Medical Center Trauma Unit in Mountain View Arkansas. While awaiting the doctor to come in an diagnose my situation Deputy

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Meeks was within my room and Sgt. Stevens stood at my door in a professional manner as Officer Jonathan Arnold my wife's interviewing officer checked my door. Sgt. Stevens appeared to properly escort Officer Arnold away as he began to make inappropriate comments and accusations about me on behalf of my wife. Then saying "have fun with this one" and asking us to why State of County Deputies were conducting themselves in such a manner, and asking why I was going to be allowed to make any kind of statement about the situation my wife and I went through or against the City Police Dept. since the City had in fact denied me my right to make one per Chief of Police BJ Day. At that time I observed Sgt. Stevens conducting himself in a professional manner responding to Officer Arnold that it was not something either officers were at liberty to speak about. At that same time the trauma unit doctor had been conducting my diagnosis asking me about the scratches and the knots on the back of my head that I in fact received by my wife while I was trying to gain entry back into my residence. The doctor also ran ultra violet lights over my face having to remove pieces of broken glass that had been embedded into my face and forehead, as he also followed up by flushing what glass fragments were directly over my eyes themselves. I was then sent to another section of the hospital where I was given an MRI scan as to the knots and bumps from the impact of my wife's fists that the doctor observed. Once all the above medical attention was conducted I was then transported to the Stone County Jail where I was placed on a 72 hour for police Chief BJ Day.

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Once booked into the Stone County jail I was allowed to fill out a statement, though it was under duress. It was noted as transcriptional purposes for the Stone County Sheriff's Office. After the said statement was made I was then placed into the holding cell for a period less than 22 hours in which I was told to leave Stone County jail on foot. Upon my release my wife had been notified and I met up with her and returned home to our house at 180 Buckhorn Dr. Mountain View, AR 72560 in which I stayed with my wife and daughters until the day she returned our daughters to school as never come back as she usually does. Once I got in touch with her she said that the Chief of Police BJ Day had contacted her about the statement that was filed the night of the said incident and that she had been threatened and the well being of our two twin daughters had also been threatened if she did not agree to the statements Chief BJ Day and officer Arnold had personally required for her to sign so that they may be able to file the charges against me in retaliation to the past legal situations that had taken place. She assured me that it was not her writing again, nor was it her ideas and accusations as if I had nothing to bring about. But she was sorry this was going to happen to our family, she did not know what to do being that she was in fact scared for her freedom and the well being of our twin daughters. Later that evening when she returned she had discussed the said matters in greater detail and said she thought they were going to really set me up and send me off to prison as if this was

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some type of movie. A few days later while out on about  
 I had gotten my truck stuck on a road adjoining a property  
 that was said to have been searched by both law  
 enforcement cause they were told by a Confidential  
 informant/Convicted felon Samantha Morgan that I was  
 supposedly at the residence. Upon receiving that said info  
 the following evening I then contacted Chief Deputy  
 Duane Pierce of the Stone County Sheriff's Office about  
 turning myself into him alone when the Sheriff of Stone  
 County did not answer or return my calls. Shortly after  
 my phone conversation with Chief Deputy Pierce about  
 being in fear of my life and wellbeing if apprehended by the  
 City Police on the fact that I am not guilty of the said  
 charges at hand. I received word from my wife that I  
 needed to get in touch with Lt. Zack Alexander and  
 Damon McEllen of the 16th Judicial Drug Task Force. At  
 the time of receiving said information from my wife she  
 expressed it in an upset manner stating the two officers  
 had been causing her problems as she was worried they  
 was going to get caught running drugs out of  
 Belknap and Independence Counties if I didn't  
 turn myself in. She said she didn't know as to what  
 charges they actually filed and had Deputy Prosecutor  
 Joshua Collins knowingly file against me but they  
 wanted me to turn myself in and get help for the  
 mental issues that arised in my life throughout this  
 situation and coming home to find my wife committing  
 adultery with her sister's husband etc. After a short  
 period of time my wife arrived at the location I was  
 at and we met up with Lt. Zack Alexander and Damon  
 McEllen so that I could turn myself in properly on

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Solely to the custody of the Stone County Sheriff Office under the pretence I had an over the phone screening awaiting me on that I would be sent for evaluation to help assist me with my issues or get back on my medications that I take for Chronic Anxiety, Chronic Depression, Mood Disorder. Upon awaiting to be booked into the Stone County jail Lt. Zack Alexander showed me a relatively old picture of me with a pistol in my mouth laughing and asked if that was a rough day. Then had me placed in a pool amongst other inmates who had recently been running and sleeping with my wife in which felt as a tactic to humiliate me and hurting myself while on suicide watch.

All the named defendants within my claim I do believe both mentally and physically harm me by the amounts of mental anguish I've had to endure along with the loss of my job, my lively hood, and my family.

I also believe that Autumn R. Conrad Gundberg, B.J. Day, Jonathan Ayoub, Joshua Colburn all hurt my minor daughter by the amount of mental anguish they have had to endure losing their father and family along with their home and the amount of endangerment they were placed in as to the false documents filed against me, and B.J. Day transporting them over 12 miles without proper car seats.

Please find word of reviewing this paper work. I am still being held in Stone County jail awaiting trial on charges enclosed with this.

VIII. Relief

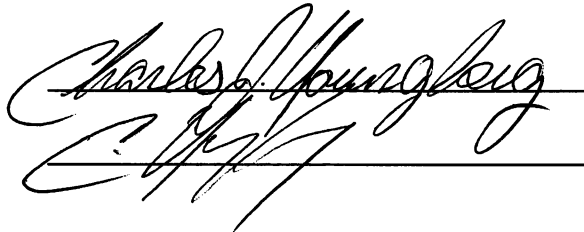
State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

- #1 Officers be relieved of their badges and duties.
- #2 Counsel be relieved of his license to work as an attorney
- #3 All parties be held accountable for their actions on a Criminal level and ordered to pay for lost wages and sufferings.

I declare under penalty of perjury (18 U.S.C. § 1621) that the foregoing is true and correct.

Executed on this 10<sup>th</sup> day of November, 20 18.

Note: Stone County Jail administrator  
Refuses all inmates to notarize any  
paperwork involved in filing claims  
against law enforcement and/or  
County officials.



Signature(s) of plaintiff(s)

*This is what I was given as a full and complete Motion of discovery on the charges I am currently awaiting trial on.*

Case 1:18-cv-00080-BPM-JJV Document 1 Filed 11/14/18 Page 17 of 21

FILED  
IN STONE COUNTY, ARKANSAS  
AUG 29 2018  
10:00 O'CLOCK  
AT THE CLERK'S OFFICE  
NGIE HUDSPETH-WADE  
DC

## **AFFIDAVIT OF PROBABLE CAUSE FOR ARREST**

Case # CR 2018-099

In The Matter of: CHARLES J YOUNGBERG

W/M AGE: 37

Re: Request for Magistrate's Determination for Probable Cause for Warrant of Arrest for the Defendant on the following charges:

- **AGGRAVATED ASSULT ON A FAMILY OR HOUSEHOLD MEMBER, A CLASS "D" FELONY IN VIOLATION OF A.C.A. 5-26-306.**
- **CRIMINAL MISCHIEF 1<sup>st</sup> DEGREE, A CLASS "A" MISDEMEANOR IN VIOLATION OF A.C.A. 5-38-203.**
- **ENDANGERING THE WELFARE OF A MINOR IN THE 2<sup>ND</sup> DEGREE, A CLASS "A" MISDEMEANOR IN VIOLATION OF A.C.A. 5-27-206. (2 COUNTS)**
- **ENHANCED PENALTY, THAT HAVING COMMITTED A FELONY OFFENSE INVOLVING DOMESTIC BATTERING OR ASSAULT ON A FAMILY MEMBER IN THE PRESENCE OF A CHILD, THE DEFENDANT SHOULD BE SUBJECT TO AN ADDITIONAL TERM OF IMPRISONMENT OF NOT LESS THAN ONE (1) YEAR AND NOT GREATER THAN TEN (10) YEARS PERSANT TO ARK. CODE. ANN. 5-4-702(a)**
- **HABITUAL OFFENDER ACT - THAT CHARLES J YOUNGBERG IS A HABITUAL OFFENDER HAVING BEEN CONVICTED OF FOUR (4) FELONIES AS EVIDENCED BY HIS ACIC/NCIC HISTORY. THAT CHARLES J YOUNGBERG SHOULD BE SENTENCED AS A HABITUAL OFFENDER PURSUANT TO A.C.A. 5-4-501.**

THE UNDERSIGNED, BEING DULY SWORN, FOR HIS AFFIDAVIT FOR PROBABLE CAUSE FOR ARREST, DEPOSES AND SAYS:

On August 25, 2018 at approximately 4:00am, Officer Jonathan Arnold was dispatched to the Stone County Medical Center to meet with Autumn Youngberg. Autumn called the Stone County Sheriff's Office and reported her soon to be ex-husband, Charles Youngberg, had taken her kids and she was bleeding from an altercation that they had. Mrs. Youngberg stated that she was going to drive herself to the hospital and meet Officers there.

Upon arrival, Officer Arnold seen Mrs. Youngberg in her Chevrolet Tahoe and the driver's rear window had been shattered. He escorted her into the emergency room so she could be evaluated. She was in a very emotional state of mind and said that her ex-husband had busted her window and taken her twins without car seats while they were screaming for her. She stated that her and Charles had been arguing for a couple days and that he had hit her and choked her in front of the kids the previous day.

While the medical staff at Stone County aided to Mrs. Youngberg Officer Arnold took a statement from her. She was unable to write due to a cut on her hand that was bleeding on the statement form. Officer Arnold retrieved a new statement form and wrote her statement down as she told it to him.

Mrs. Youngberg stated that she had been staying at a rent house of Tonya Nesbitt for about 3 days and her husband had been accusing her of cheating on him and would not let her take a shower. She had got in the shower anyways and said that he had crawled through the attic

*United States Court*  
*Retyped*  
Instrument# F201805953 Page 1 of 3

<sup>23rd</sup>  
 space and came in anyways. Thursday night Mr. Youngberg had kicked her, punched her and choked her for approximately 7 or 8 seconds while the kids were present in the room. She stated that he changed his mood and started being nice to her until she said that she was going to leave. She carried out her stuff and her kid's stuff to her vehicle and then went back into the residence to get her girls. While she was in there Mr. Youngberg had flattened 2 of her tires so that she could not leave.

<sup>24th</sup>  
She stated that she woke Mr. Youngberg up Friday morning to fix her tires but he did not. She went to get her laundry from the neighbor's house and when she returned Mr. Youngberg locked the house and would not let her in. He opened the door but kept blocking it until he slammed it in her face.

He stuck his face in a triangular window in the door and when she put hers up to the window to tell him to let her in and he busted the window out. She said that she ran to her Tahoe and he followed her out and smashed the driver's rear window out. As she was driving off she stated that he was trying to hold on to the vehicle and that is when she contacted the police and then drove to the hospital.

Photographs were taken of Mrs. Youngberg's injuries which were to her head, both hands and arms as well as injuries to her throat and neck area. Photographs were also taken of the vehicle showing the broken window and blood all over in the driver's area of the vehicle.

A check of CJ Youngberg's ACIC/NCIC criminal history shows the following arrests:

- 9-28-11 Stone County charged Fleeing D Felony and was convicted on 1-26-12 of that charge.
- 12-9-11 Stone County charged Escape 2<sup>nd</sup> D Felony, Poss. of Meth D Felony, and Poss. of drug paraphernalia D Felony and was convicted of all on 1-26-12.
- 9-18-14 Stone County charged Fleeing D Felony, Poss. drug paraphernalia (meth) D Felony (2 counts) and was convicted of all on 1-9-15.



AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS 28 DAY OF August, 2018.

  
 JUDGE, NOTARY PUBLIC OR CLERK

My Commission Expires: \_\_\_\_\_

*Taylor Tidwell - he was present that night*  
*Joshua Hallman*  
*Ct. Terrence Bowden*  
*Jesse Larray*



**FINDING OF PROBABLE CAUSE FOR ARREST**

Case # \_\_\_\_\_

I hereby find that the foregoing sworn Affidavit demonstrates reasonable and probable cause for the issuance of a warrant of arrest for the defendant for the charges listed in the attached Information and that the defendant should be arrested and bound over for trial.

  
\_\_\_\_\_  
JUDGE

Dated and signed this 28 day of August, 2018.

Youngberg's behalf must be clearly identified by case name and case number.

2. The Court directs the Clerk to send a copy of this Order to the Administrator of the Stone County Jail, Post Office Box 1317, Mountain View, Arkansas 72560.

3. The Court must screen Youngberg's complaint. *No 2*; 28 U.S.C. § 1915A. Youngberg makes several unrelated claims. He alleges that his minor daughters were wrongfully taken from him and that he was wrongfully arrested and charged with "negligent supervision/threat of harm to a child." *No 2 at 14*. According to Youngberg, he self-surrendered in connection with the pending charges after he was initially released from custody. He makes a conditions of confinement and a medical indifference claim arising from his second stay at the Stone County Jail. *No 2 at 12-14*.

4. Youngberg can't defeat the filing fee requirement by joining his claims in one case. 28 U.S.C. § 1915. He must decide which claims to pursue in this lawsuit and file an amended complaint explaining those claims. If Youngberg wants to pursue his claims that his daughters were wrongfully taken from him and that he was wrongfully arrested and charged, then he must identify the defendants he wants to sue and explain what each defendant did to violate his rights, how he was harmed by the defendant's actions, and what relief he seeks. He must

also explain the status of the charges. Is he still awaiting trial, or have the charges been resolved?

If Youngberg picks his conditions of confinement and medical indifference claims, then he must explain who he wants to sue, identify which defendants allegedly knew about the conditions he described, and explain how he was harmed by the conditions. He must also identify which defendants allegedly knew about his medical condition and what those defendants did to violate his rights.

If Youngberg doesn't file his amended complaint by 1 December 2018, then his case will be dismissed without prejudice. LOCAL RULE 5.5(c)(2).

7. The Court directs the Clerk to mail Youngberg a blank § 1983 complaint form with a copy of this Order.

So Ordered.

D.P. Marshall Jr.  
D.P. Marshall Jr.  
United States District Judge

31 October 2018